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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

BRIGGS et al.

Serial No.: 10/821220

Filed: April 7, 2004

Atty. File No.: 3905-134-CON

For: "MODULAR WATER PLAY  
STRUCTURE"Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Group Art Unit:

Examiner:

INFORMATION DISCLOSURE  
STATEMENT

## CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON JUNE 11, 2004.

BY: *Aimee Shueh*  
SHERIDAN ROSS P.C.

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby submit the enclosed PTO Form 1449. The documents identified therein are of record in U.S. Patent Application Serial No. 10/199,396, filed July 18, 2002, and since the above-identified patent application is a continuation thereof, copies of the identified documents are not being submitted pursuant to 37 CFR § 1.98(d). Applicants do not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicants that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

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Date: 6/11/2004



SHEET 1 OF 9

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3905-134-CON	SERIAL NO. 10/821,220
	APPLICANT BRIGGS et al.	
	FILING DATE April 7, 2004	GROUP ART

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
1	1,529,467	03/10/1925	Davis et al.			
2	1,648,196	11/08/1927	Rohmer			
3	1,935,543	11/14/1933	Coughlin			
4	2,977,118	03/28/1961	Farkas			
5	3,120,955	02/11/1964	Carlin			
6	3,141,670	07/21/1964	Smymni et al.			
7	3,170,171	02/23/1965	Mayhew et al.			
8	3,231,269	01/25/1966	Dalrymple, Jr.			
9	3,246,892	04/19/1966	Grudoski			
10	3,355,580	11/28/1967	Wachs			
11	3,400,703	09/10/1968	Rhodes			
12	3,539,181	11/10/1970	Larsen	272	56.5	
13	3,570,848	03/16/1971	Bowen	272	60	
14	3,601,397	08/24/1971	Carlin et al.	272	56.5	
15	D222,487	10/26/1971	Korte	D34	5	
16	3,633,560	01/11/1972	DeFreitas	124	11	
17	3,662,729	05/16/1972	Henderson	124	11	
18	3,668,715	06/13/1972	Chase	4	172	
19	D225,344	12/05/1972	Henning et al.	D34	5	
20	3,743,281	07/03/1973	Gimbel	272	56.5	
21	3,752,472	08/14/1973	Snead	272	60	

EXAMINER	DATE CONSIDERED
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	22	3,802,705	04/09/1974	Burns et al.	273	101	
	23	3,843,127	10/22/1974	Lack	273	101	
	24	3,851,880	12/03/1974	Ritch	273	128 R	
	25	3,866,916	02/18/1975	Clarke	273	105.2	
	26	3,905,349	09/16/1975	Nielsen et al.	124	11 R	
	27	3,938,272	02/17/1976	Ditto et al.	42	55	
	28	D241,664	09/28/1976	Ewers et al.	D34	5 H	
	29	3,989,027	11/02/1976	Kahelin	124	58	
	30	4,014,540	03/29/1977	Caulkins	272	85	
	31	4,037,355	07/26/1977	Street	46	43	
	32	D245,435	08/16/1977	Gnehm	D34	5 H	
	33	4,046,131	09/06/1977	Clark et al.	124	71	
	34	4,057,244	11/08/1977	Gaspar	272	1 A	
	35	D246,477	11/22/1977	Callecod	D34	5 L	
	36	D250,782	01/09/1979	Gibson	D34	5 K	
	37	D250,783	01/09/1979	Dieter et al.	D34	5 L	
	38	D250,784	01/09/1979	Dieter et al.	D34	5 E	
	39	D251,262	03/06/1979	Barrett et al.	D21	244	
	40	4,145,042	03/20/1979	Becker et al.	272	56.5 R	
	41	4,149,710	04/17/1979	Rouchard	272	56.5 R	
	42	4,159,113	06/26/1979	Callecod	272	113	
	43	4,165,073	08/21/1979	Kellerstrass	273	101	
	44	4,165,729	08/28/1979	Niemirow	124	17	

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	45	D253,363	11/06/1979	Dieter et al.	D21	244	
	46	4,186,927	02/05/1980	Breslow et al.	273	357	
	47	4,194,733	03/25/1980	Whitehouse, Jr.	272	56.5 R	
	48	4,196,900	04/08/1980	Becker et al.	272	56.5 R	
	49	4,198,043	04/15/1980	Timbes et al.	272	56.5 R	
	50	4,219,198	08/26/1980	Meyer et al.	273	399	
	51	4,243,220	01/06/1981	Shelley	273	1 R	
	52	4,251,069	02/17/1981	Beller	272	113	
	53	4,261,319	04/14/1981	Dixon	124	21	
	54	4,262,900	04/21/1981	Vinson	272	113	
	55	4,303,247	12/01/1981	Fain	273	324	
	56	4,343,464	08/10/1982	Dose	272	56.5 R	
	57	4,418,792	12/06/1983	Cerone	182	93	
	58	4,487,411	12/11/1984	Ahrens	272	56.5 R	
	59	D277,610	02/12/1985	Arginsky	D23	6	
	60	D277,640	02/19/1985	Drexler	D8	88	
	61	4,505,897	03/19/1985	Coy et al.	514	11	
	62	4,548,357	10/22/1985	Schmidt	239	289	
	63	4,573,679	03/04/1986	Janszen	273	26 E	
	64	4,630,709	12/23/1986	Taylor	182	48	
	65	4,778,430	10/18/1988	Goldfarb et al.	446	167	
	66	4,786,088	11/22/1988	Ziu	285	138	
	67	4,799,665	01/24/1989	Bracy	272	1 R	

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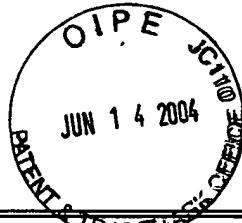
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	68	4,805,896	02/21/1989	Moody	272	56.5 R	
	69	4,805,897	02/21/1989	Dubeta	272	56.5 R	
	70	4,805,898	02/21/1989	Jacober et al.	272	56.5 R	
	71	D302,198	07/11/1989	Mercer	D21	245	
	72	4,865,312	09/12/1989	Katz	272	56.5 R	
	73	4,898,198	02/06/1990	Castlebury	135	90	
	74	4,951,644	08/28/1990	Bon	124	75	
	75	4,961,535	10/09/1990	Skibik	239	289	
	76	4,973,042	11/27/1990	Klopf et al.	272	35	
	77	5,000,155	03/19/1991	Gallagher	124	71	
	78	5,011,134	04/30/1991	Langford	272	56.5 R	
	79	5,011,161	04/30/1991	Galphin	273	349	
	80	5,113,842	05/19/1992	Moormann	124	65	
	81	5,115,794	05/26/1992	Moormann	124	65	
	82	5,127,657	07/07/1992	Ikezawa et al.	273	310	
	83	5,133,330	07/28/1992	Sharp	124	56	
	84	5,135,440	08/04/1992	Smollar et al.	472	128	
	85	5,151,069	09/29/1992	Skalka	482	35	
	86	5,156,339	10/20/1992	Gibson et al.	239	289	
	87	D330,579	10/27/1992	Briggs	D21	243	
	88	5,176,060	01/05/1993	Thornton	83	471.2	
	89	5,194,048	03/16/1993	Briggs	472	128	
	90	5,213,547	05/25/1993	Lochtefeld	472	117	

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	91	5,224,701	07/06/1993	Sciarrillo et al.	273	55 R	
	92	5,226,864	07/13/1993	Showers	482	35	
	93	D340,273	10/12/1993	Ezell	D21	244	
	94	5,251,906	10/12/1993	Heller et al.	273	397	
	95	5,256,120	10/26/1993	Howell	482	82	
	96	5,288,071	02/22/1994	Solomon	273	85 C	
	97	5,330,400	07/19/1994	Huberman	482	35	
	98	5,343,849	09/06/1994	Steer	124	72	
	99	D352,327	11/08/1994	Delaney et al.	D21	249	
	100	5,378,197	01/03/1995	Briggs	472	128	
	101	5,382,026	01/17/1995	Harvard et al.	273	310	
	102	5,385,472	01/31/1995	Mullin	434	126	
	103	5,387,158	02/07/1995	Bertrand	472	117	
	104	5,387,159	02/07/1995	Hilgert et al.	472	128	
	105	5,401,214	03/28/1995	Smollar et al.	472	117	
	106	D357,299	04/11/1995	Laing et al.	D21	242	
	107	5,405,294	04/11/1995	Briggs	472	128	
	108	D358,190	05/09/1995	Strawcutter et al.	D21	242	
	109	5,417,435	05/23/1995	Peretz	273	355	
	110	5,431,410	07/11/1995	Hampton	273	397	
	111	5,435,570	07/25/1995	Labrasseur	273	355	
	112	5,437,573	08/01/1995	Rodriguezferre	472	116	
	113	D361,116	08/08/1995	Shaneour	D21	244	

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	114	5,447,144	09/5/1995	Ivy	124	26	
	115	5,450,838	09/19/1995	Nakahigashi et al.	124	56	
	116	5,480,336	01/02/1996	Blanchard	446	89	
	117	D366,086	01/09/1996	Ziegler, Jr. et al.	D21	245	
	118	5,505,663	04/09/1996	Goulart et al.	472	116	
	119	5,507,271	04/16/1996	Actor	124	56	
	120	5,507,696	04/16/1996	Smollar et al.	472	117	
	121	5,515,837	05/14/1996	Nin et al.	124	59	
	122	D371,414	07/02/1996	King	D21	242	
	123	5,536,210	07/16/1996	Barber	472	128	
	124	5,554,074	09/10/1996	Von Parrish	472	116	
	125	D374,901	10/22/1996	Cacciola et al.	D21	240	
	126	5,577,945	11/26/1996	LaBelle	446	75	
	127	5,580,316	12/03/1996	Hill et al.	472	116	
	128	5,649,867	07/22/1997	Briggs	472	128	
	129	D382,618	08/19/1997	Gift	D21	240	
	130	5,662,525	09/02/1997	Briggs	472	128	
	131	5,669,822	09/23/1997	Smollar et al.	472	117	
	132	5,673,918	10/07/1997	Bigari	273	395	
	133	5,676,602	10/14/1997	Katz et al.	472	117	
	134	D385,941	11/04/1997	Carpenter	D21	240	
	135	5,683,314	11/04/1997	Musso	473	414	
	136	5,685,778	11/11/1997	Sheldon et al.	472	43	

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	137	5,709,581	01/20/1998	Rothbarth et al.	446	171	
	138	D389,892	01/27/1998	Van Wagenen	D21	245	
	139	5,735,748	04/07/1998	Meyers et al.	472	117	
	140	D393,687	04/21/1998	Griger et al.	D21	242	
	141	5,741,189	04/21/1998	Briggs	472	128	
	142	5,785,592	07/28/1998	Jacobsen	463	7	
	143	D397,188	08/18/1998	Bro et al.	D21	243	
	144	5,816,980	10/06/1998	Myszka et al.	482	35	
	145	5,820,471	10/13/1998	Briggs	472	128	
	146	5,820,472	10/13/1998	Briggs	472	128	
	147	5,839,964	11/24/1998	Rudell et al.	472	117	
	148	D403,392	12/29/1998	Briggs et al.	D21	814	
	149	5,853,332	12/29/1998	Briggs	472	128	
	150	5,865,679	02/02/1999	Seabolt et al.	472	117	
	151	5,865,680	02/02/1999	Briggs	472	128	
	152	D406,871	03/16/1999	Briggs	D21	811	
	153	D407,133	03/23/1999	Briggs	D21	826	
	154	5,884,563	03/23/1999	Sheldon et al.	104	53	
	155	D413,957	09/14/1999	Briggs	D21	826	
	156	5,967,901	10/19/1999	Briggs	472	128	
	157	5,967,916	10/19/1999	Robeson	473	600	
	158	D416,066	11/02/1999	Briggs	D21	814	
	159	D421,283	02/29/2000	Briggs et al.	D21	811	

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	160	6,089,987	7/2000	Briggs	472	128	
	161	6,132,318	10/2000	Briggs	472	128	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
160	DE 1 031 693	03/17/1956	Germany			X	
161	FR 2 031 920	02/06/1969	France				X
162	DE 32 42 358 A1	11/16/1982	Germany				X
163	DE 38 12 435 C1	04/14/1988	Germany			X (Abstract only)	
164	DE 39 10679 A1	04/03/1989	Germany				X
165	JP 891,541	02/22/1994	Japan				X
166	WO 96/29120	09/26/1996	PCT				
167	WO 97/06867	02/27/1997	PCT				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

168	Sandman Playground Equipment Advertisement, Containing a Photograph of "The Christiana" Playhouse, April 9, 1987.
169	Braunfelsbilt Products Brochure, New Braunfels General Store International, New Braunsfel, Texas, January 1994.
170	Gym-Dandy, The Trusted One, Return of the Jedi, Scout Walker, Command Tower, Swing Set with Speeder Bike Rider No. 59340.
171	Innovative Foam Technology Inc. Product Brochure, Wimberly, Texas.
172	Innovative Foam Technology Inc. Product Brochure, San Antonio, Texas.
173	Innovative Foam Technology Inc. - Introduction Sheet to Soft, Lightweight Participatory Play Equipment, 1991.
174	Interactive WaterPlay Systems Brochure, SCS Company, 1995.

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175	Mexico Forge Brochure, 3800 Series, Model 3813-311.
176	The Foam Factory Pamphlet, SCS Interactive Inc.
177	The Pentes Playbill Newspaper, Pentes Play Inc., Showtime 1995.
178	Sampler Catalog, Pentes Play Inc., 1995.
179	The Pentes Playbill Newspaper, Pentes Play Inc., Autumn 1995.
180	The Pentes Playbill Newspaper, Pentes Play Inc., Show Edition 1996.
181	The Pentes Playbill Newspaper, Pentes Play Inc., Spring 1997.
182	The Pentes Playbill Newspaper, Pentes Play Inc., Show Edition 1998.
183	SCS Interactive Family Adventures Discovery Treehouse Brochure, SCS Company, Tillamook, Oregon.
184	SCS Interactive Family Adventures Creative Waterplay Components Brochure, SCS Company.
185	SCS Interactive Family Adventures Pirate Fortress Brochure, SCS Company.
186	SCS Interactive Family Adventures Family Caribbean Adventure, SCS Company.
187	The Interactive Water Funhouse Brochure, SCS Interactive Inc., Tillamook, Oregon, 1997.
188	The Interactive Waterplay Arena, SCS Interactive Inc., Tillamook, Oregon, 1997.
189	SCS Interactive Something Big Is Coming Brochure, SCS Company, Tillamook, Oregon, May 2000.
190	SCS Company Products Brochures, Models 107-400.
191	Soft Play Inc. Brochure, 1994.
192	Specialty Products and Replacement Parts Catalog, Specialty Products Inc., November 1994.
193	World Waterpark Association, Splash, SCS Participatory Play Systems, September 1989.
194	Playthings, Yards of Fun Inc., September 1987, p. 61.
195	Parks & Recreation Magazine; March 1999; pp. 1-188 and covers
196	Six Color Photographs of Whitewater West Industries' waterplay system in Collinsville, IL, circa late August - early September 2002

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